

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF
FALLBROOK OAKS
3800 05-006 (GPA); 3600 05-015 (REZ); 3100 5449 (TM); 3500 07-009 (STP); 3000
08-054 (AD); ER 05-02-029

September 24, 2009

COMMENT TO STAFF: The Project Manager must ensure that all applicable environmental ordinances are complied with to the extent that these ordinances apply to the project.

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES
☐

NO
☐

NOT APPLICABLE/EXEMPT
☒

Discussion:

While the proposed project and off-site improvements are located outside of the boundaries of the Multiple Species Conservation Program, the project site and locations of any off-site improvements do not contain habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES
☐

NO
☐

NOT APPLICABLE/EXEMPT
☒

Discussion:

The proposed project and any off-site improvements related to the proposed project are located outside of the boundaries of the Multiple Species Conservation Program. Therefore, conformance with the Multiple Species Conservation Program and the Biological Mitigation Ordinance is not required.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES
☐

NO
☐

NOT APPLICABLE/EXEMPT
☒

Discussion:

The project will obtain its water supply from the Rainbow Municipal Water District which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Steep Slope section (Section 86.604(e))?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>

Discussion:

Wetland and Wetland Buffers:

Even though wetlands and/or wetland buffer areas have been identified on the project, the project has been found to be consistent with Article IV of the Resource Protection Ordinance, due to the following reasons: a) the project will not place any non-permitted uses within wetlands; b) the project will not allow any non-permitted uses within wetland buffer areas. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

Floodways and Floodplain Fringe:

A major drainage way/creek runs through the project site. The project is not proposing to place structures with a potential for human occupation within these areas. The project also meets all setback requirements from the floodplain fringe/floodway; therefore, the project complies with the floodway and floodplain fringe section (Article IV, Section 3) of the Resource Protection Ordinance.

Steep Slopes:

Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are no steep slopes on the property. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

Sensitive Habitats:

No sensitive habitat lands were identified on the site as determined on a site visit conducted by Chris Stevenson on November 27, 2007. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

Significant Prehistoric and Historic Sites: The property has been surveyed by a County of San Diego certified archaeologist/historian, Brian K. Glenn with Pacific West Archaeology, Inc. and it has been determined that the property does not contain any archaeological/ historical sites.

V. STORMWATER ORDINANCE (WPO) - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES
☒

NO
☐

NOT APPLICABLE
☐

Discussion:

The Stormwater Management Plan submitted is substantially complete and complies with the WPO requirements.

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES
☒

NO
☐

NOT APPLICABLE
☐

Discussion:

The proposal would not expose people to nor generate potentially significant noise levels which exceed the allowable limits of the County of San Diego Noise Element of the General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations.

Staff has reviewed the Preliminary Noise Study dated June 2, 2008 prepared by Urban Crossroads received on October 20, 2008. The project consists of an 18 lot subdivision located in the Fallbrook area. Documentation and noise analysis is considered complete at this time. Primary noise source to potentially impact the project subdivision is from future vehicle traffic traveling on Reche Road. All proposed lots with the exemption to Lot 18 will be located well distanced from Reche Road. A noise report has been conducted to demonstrate compliance with the County General Plan Noise Element, policy 4b. Based on the noise report, ground level noise sensitive land use(s) (NSLU) on Lot 18 will experience future traffic noise levels as high as 58.6 dBA CNEL. County noise standards allow the exposure of NSLU to 60 dBA CNEL and the proposed ground level NSLU meet this requirement. Additionally, second story receptors on Lot 18 have also been evaluated showing future traffic noise impacts of 65.2 dBA CNEL. An interior noise analysis is required when residential structures are exposed to noise levels exceeding 60 dBA CNEL. Although building plans are not available at this time, the project will be conditioned to dedicate a noise protection easement over the entire

area of Lot 18. This will ensure that an interior noise will be required prior to the any building permit approval within this specified area. Furthermore, if future design changes show that Lot 18 is removed from the proposed subdivision, then the noise protection easement will not be required. However, other major changes to the subdivision design consisting of rearranging lots will require further evaluation by staff to determine compliance with County Noise Standards. Therefore, incorporation of the noise protection easement to Lot 18 will ensure the project will comply with County Noise Element, policy 4b.